

CHAPTER 607
COMMERCIAL DRIVER LICENSING

761—607.1(321) Scope. This chapter applies to licensing persons for the operation of commercial motor vehicles. Unless otherwise stated, the provisions of this chapter are in addition to other motor vehicle licensing rules.

This rule is intended to implement Iowa Code chapter 321.

761—607.2(17A) Information.

607.2(1) Address. Applications, forms and information about the commercial driver's license (CDL) are available at any driver's license examination station. Information is also available by mail from the Office of Driver Services, Iowa Department of Transportation, P.O. Box 9204, Des Moines, Iowa 50306-9204, or in person at its location in Park Fair Mall, 100 Euclid Avenue, Des Moines, Iowa; telephone 1-800-532-1121 or (515)244-8725.

607.2(2) Manual. A copy of a study manual for the commercial driver's license tests is available upon request at any driver's license examination station.

This rule is intended to implement Iowa Code section 17A.3.

761—607.3(321) Definitions. The definitions in Iowa Code section 321.1 apply to this chapter of rules. In addition, the following definitions are adopted:

"Air brake system" means a system that uses air as a medium for transmitting pressure or force from the driver's control to the service brake. It does not include a system that uses compressed air or vacuum only to assist the driver in applying muscular force to hydraulic, electrical or mechanical components.

"Commercial motor vehicle" as defined in Iowa Code section 321.1 does not include a motor vehicle designed as off-road equipment rather than as a motor truck, such as a forklift, motor grader, scraper, tractor, trencher or similar industrial-type equipment. It also does not include the self-propelled machinery described in Iowa Code paragraph 321.1(32) "f."

"Controlled substance" as used in Iowa Code section 321.208 means a substance defined in Iowa Code section 124.101.

"Passenger vehicle" means either of the following:

1. A motor vehicle designed to transport 16 or more persons including the operator.
2. A motor vehicle of a size and design to transport 16 or more persons including the operator which is redesigned or modified to transport less than 16 handicapped persons. The size of a redesigned or modified vehicle shall be any such vehicle with a gross vehicle weight rating of 10,001 or more pounds.

"State" as used in "another state" in Iowa Code subsection 321.174(2), "Former state of residence" in Iowa Code subsection 321.188(5), or "any state" in Iowa Code subsection 321.208(1), means one of the United States, the District of Columbia or a Canadian province unless the context means the state of Iowa.

This rule is intended to implement Iowa Code sections 321.1, 321.174, 321.188, 321.191, 321.193 and 321.208.

761—607.4 and 607.5 Reserved.

761—607.6(321) Exemptions.

607.6(1) Persons exempt. A person listed in Iowa Code section 321.176A is exempt from commercial driver licensing requirements.

607.6(2) Exempt until April 1, 1992. Rescinded IAB 6/23/93, effective 7/28/93.

This rule is intended to implement Iowa Code sections 321.1, 321.176A and 321.197.

761—607.7(321) Records. The operating record of a person who has been issued a commercial driver's license or a person who has been disqualified from operating a commercial motor vehicle shall be maintained as provided in the department's "Record Management Manual" adopted in 761—Chapter 4.

This rule is intended to implement Iowa Code sections 22.11, 321.12 and 321.199.

761—607.8 and 607.9 Reserved.

761—607.10(321) Adoption of federal regulations.

607.10(1) Code of Federal Regulations. The department adopts the following portions of the Code of Federal Regulations which are referenced throughout this chapter of rules:

- a. 49 CFR Section 391.11 as adopted in rule 761—520.1(321).
- b. 49 CFR Section 392.5 as adopted in rule 761—520.4(321).
- c. The following portions of 49 CFR Part 383 (October 1, 1990):

(1) Section 383.51(b)(2), Disqualifying offenses, and Section 383.51(b)(3)(v) pertaining to the 10-year disqualification.

(2) Subpart E—Testing and Licensing Procedures, which contains Sections 383.71-383.77.

(3) Subpart G—Required Knowledge and Skills, which contains Sections 383.110-383.121.

(4) Subpart H—Tests, which contains Sections 383.131-383.135.

607.10(2) Obtaining copies of regulations. Copies of 49 CFR Parts 200-399 and individual copies of the Federal Register may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

This rule is intended to implement Iowa Code sections 321.187, 321.188, 321.208 and 321.208A.

761—607.11 to 607.14 Reserved.

761—607.15(321) Application. An applicant for a commercial driver's license shall comply with the requirements of Iowa Code sections 321.182 and 321.188 and 761—Chapter 601.

This rule is intended to implement Iowa Code sections 321.182 and 321.188.

761—607.16(321) Commercial driver's license (CDL).

607.16(1) Classes. The department may issue a commercial driver's license only as a Class A, B or C license, or a combination of Class M with a Class A, B or C license. The license class identifies the types of vehicles that may be operated. A commercial driver's license may have endorsements which authorize additional vehicle operations or restrictions which limit vehicle operations.

607.16(2) Validity.

a. A Class A commercial driver's license allows a person to operate a combination of commercial motor vehicles as specified in Iowa Code paragraph 321.189(1) "a." With the required endorsements and subject to the applicable restrictions, a Class A license is valid to operate any vehicle except a motorcycle.

b. A Class B commercial driver's license allows a person to operate a commercial motor vehicle as specified in Iowa Code paragraph 321.189(1) "b." With the required endorsements and subject to the applicable restrictions, a Class B license is valid to operate any vehicle except a motorcycle, a truck-tractor semitrailer combination as a chauffeur (Class D), or a vehicle requiring a Class A license.

c. A Class C commercial driver's license allows a person to operate a commercial motor vehicle as specified in Iowa Code paragraph 321.189(1) "c." With the required endorsements and subject to the applicable restrictions, a Class C license is valid to operate any vehicle except a motorcycle, a

truck-tractor semitrailer combination as a chauffeur (Class D), or a vehicle requiring a Class A or Class B license.

d. A commercial driver's license is not valid for operating a motorcycle as a commercial motor vehicle unless the license is also a Class M license with a hazardous material endorsement.

e. A commercial driver's license valid for two years or four years, at the option of the applicant, shall be issued to a qualified applicant who is at least 18 years of age but not yet 70 years of age.

f. A commercial driver's license valid for two years shall be issued to a qualified applicant 70 years of age or older. A two-year license may also be issued, at the discretion of the department, to an applicant whose license is restricted due to vision or other physical disabilities.

g. A commercial driver's license is valid for 60 days after the expiration date.

h. A military service extension is not applicable to a commercial driver's license.

i. A person with a commercial driver's license valid for the vehicle operated is not required to obtain a Class D license to operate the vehicle as a chauffeur.

j. Rescinded IAB 11/22/95, effective 12/27/95.

607.16(3) Requirements.

a. The minimum age to obtain a commercial driver's license is 18 years.

b. The applicant shall meet the requirements of Iowa Code sections 321.182 and 321.188.

This rule is intended to implement Iowa Code sections 321.177, 321.182, 321.188, 321.189, 321.196, 321.197 and 321.198.

761—607.17(321) Endorsements. All endorsements except the hazardous material endorsement continue to be valid without retesting or additional fees when renewing or upgrading a license. The endorsements that authorize additional commercial motor vehicle operations with a commercial driver's license are:

607.17(1) Hazardous material. A hazardous material endorsement (Hazmat) is required to transport hazardous material of a type or quantity requiring placarding. Upon license renewal, retesting and fee payment are required. Retesting and fee payment are also required when an applicant upgrades an Iowa license or transfers a commercial driver's license from another state unless the applicant provides evidence of passing the endorsement test within the preceding 24 months. A farmer or a person working for a farmer is not subject to the hazardous material endorsement while operating either a pickup or a special truck within 150 air miles of the farmer's farm to transport supplies to or from the farm.

607.17(2) Passenger vehicle. A passenger vehicle endorsement (Pass) is required to operate a passenger vehicle as defined in rule 607.3(321).

607.17(3) Tank vehicle. A tank vehicle endorsement (Tank) is required to operate a tank vehicle as defined in Iowa Code section 321.1. A commercial motor vehicle upon which is transported an empty storage tank as the vehicle cargo is not a tank vehicle. A vehicle transporting a tank, regardless of the tank's capacity, which does not otherwise meet the definition of a commercial motor vehicle in Iowa Code section 321.1 is not a tank vehicle.

607.17(4) Double/triple trailer. A double/triple trailer endorsement (Dbl/Trpl Trlr) is required to operate a commercial motor vehicle with two or more towed trailers when the combination of vehicles meets the criteria for a Class A commercial motor vehicle. Operation of a triple trailer combination vehicle is not permitted in Iowa.

607.17(5) Hazardous material and tank. A combined endorsement (Hazmat & Tank) authorizes both hazardous material and tank vehicle operations.

607.17(6) Exceptions for towing operations.

a. A driver who tows a vehicle in an emergency "first move" from the site of a vehicle malfunction or accident on a highway to the nearest appropriate repair facility is not required to have the endorsement(s) applicable to the towed vehicle. In any subsequent move, a driver who tows a vehicle from one repair or disposal facility to another is required to have the endorsement(s) applicable to the

towed vehicle with one exception: A tow truck driver is not required to have a passenger endorsement to tow a passenger vehicle.

b. The double/triple trailer endorsement is not required to operate a commercial motor vehicle with two or more towed vehicles that are not trailers.

This rule is intended to implement Iowa Code sections 321.1, 321.176A and 321.189.

761—607.18(321) Restrictions. The restrictions that may limit commercial motor vehicle operation with a commercial driver's license are:

607.18(1) *Air brake.* The air brake restriction (Veh w/o Airbrakes) prohibits the operation of a commercial motor vehicle equipped with an air brake system, as defined in rule 607.3(321), until the licensee passes the required air brake tests and pays the fee for upgrading the license. Retesting and fee payment are not required when renewing the license.

607.18(2) *Intrastate only.* Reserved.

607.18(3) *Class B passenger vehicle.* The Class B passenger vehicle restriction (Class B Pass Veh) prohibits operation of a passenger vehicle that meets the criteria for a Class A commercial motor vehicle.

607.18(4) *Class C passenger vehicle.* The Class C passenger vehicle restriction (Class C Pass Veh) prohibits operation of a passenger vehicle that meets the criteria for a Class A or Class B commercial motor vehicle.

This rule is intended to implement Iowa Code section 321.189.

761—607.19 Reserved.

761—607.20(321) Commercial driver's instruction permit.

607.20(1) *Validity.*

a. A commercial driver's instruction permit allows the permit holder to operate a commercial motor vehicle when accompanied by a person licensed for the vehicle being operated. Examples of permissible vehicle operation include but are not limited to:

(1) Operation of a vehicle requiring a higher class license than the license to which the permit is added.

(2) Operation of a vehicle requiring an endorsement.

(3) Operation of a vehicle equipped with air brakes.

b. A commercial driver's instruction permit is valid for six months and may be renewed once within two years from the date of issuance of the first permit.

c. A commercial driver's instruction permit is invalid after the expiration date of the license to which the permit is added or the expiration date of the permit whichever occurs first.

607.20(2) *Requirements.*

a. An applicant for a commercial driver's instruction permit must be at least 18 years of age and eligible for a commercial driver's license.

b. The applicant must have a valid Class A, B, C, or D license other than an instruction permit, special instruction permit or a motorized bicycle license.

c. If the applicant has a valid noncommercial Class C license, the applicant must successfully pass the knowledge examination for a Class D (chauffeur's) license.

This rule is intended to implement Iowa Code sections 321.180, 321.186 and 321.188.

761—607.21 to 607.24 Reserved.

761—607.25(321) Examination for a commercial driver's license. In addition to the requirements of 761—Chapter 604, an applicant for a commercial driver's license shall pass the knowledge and skills tests as required in 49 CFR Part 383, Subparts G and H.

This rule is intended to implement Iowa Code section 321.186.

761—607.26(321) Vision screening. An applicant for a commercial driver's license must pass a vision screening test administered by the department. The vision standards are given in 761—604.11(321).

This rule is intended to implement Iowa Code sections 321.186 and 321.186A.

761—607.27(321) Knowledge tests.

607.27(1) General knowledge test. The general knowledge test for a commercial driver's license is a written test of topics such as vehicle inspection, operation, safety and control in accordance with 49 CFR Section 383.111.

607.27(2) Additional tests. In addition to the general knowledge test for a commercial driver's license, an additional knowledge test is required for each of the following:

- a. Class A license for combination vehicle operation as required in 49 CFR Section 383.111.
- b. Hazardous material endorsement as required in 49 CFR Section 383.121. The knowledge test for a hazardous material endorsement shall not be administered orally or in a language other than English.
- c. Passenger vehicle endorsement as required in 49 CFR Section 383.117.
- d. Tank vehicle endorsement as required in 49 CFR Section 383.119.
- e. Double/triple trailer endorsement as required in 49 CFR Section 383.115.
- f. Removal of the air brake restriction as required in 49 CFR Section 383.111.

607.27(3) Oral test. An oral test shall be offered only at specified locations. Information about the locations is available at any driver's license examination station.

607.27(4) Waiver. A waiver of any knowledge test is permitted only as provided in Iowa Code subsection 321.188(5). The burden of proof of having passed the hazardous material endorsement test within the preceding 24 months rests with the applicant.

607.27(5) Requirement. An applicant must pass the applicable knowledge test(s) before taking the skills test.

This rule is intended to implement Iowa Code sections 321.186 and 321.188.

761—607.28(321) Skills test.

607.28(1) Content and order. The skills test for a commercial driver's license is a three-part test as required in 49 CFR Part 383, Subparts E, G and H. The three parts must be taken in the following order: the pretrip inspection, the basic vehicle control skills, and an on-the-road driving demonstration. Those elements of the skills test that are not applicable to the vehicle being used in the skills test may be waived by the department. The basic vehicle control skills may be accomplished as part of the on-the-road driving demonstration. The department shall terminate the skills test when it is determined that the applicant has failed the test.

607.28(2) Vehicle. The applicant shall provide a representative vehicle for the skills test. "Representative vehicle" means a commercial motor vehicle that meets the statutory description for the class of license applied for.

a. A passenger vehicle endorsement requires that the skills test be performed in a passenger vehicle as defined in 607.3(321) and as required in 49 CFR Section 383.117.

b. Removal of the air brake restriction requires that the skills test be performed in a vehicle equipped with an air brake system as defined in 607.3(321) and as required in 49 CFR Section 383.113.

607.28(3) Locations. The skills test for a commercial driver's license shall be given only at specified locations where adequate testing facilities are available. An applicant may contact any driver's

license examination station for the location of the nearest skills testing station. A skills test by appointment shall be offered only at specified regional test sites.

607.28(4) *Third-party driving skills testing.* Reserved.

This rule is intended to implement Iowa Code sections 321.186 and 321.188.

761—607.29(321) Waiver of skills test. Rescinded IAB 6/23/93, effective 7/28/93.

761—607.30 Reserved.

761—607.31(321) Test results.

607.31(1) *Proof of passing score.* When necessary, the department shall issue a form valid for 90 days showing the knowledge test(s) or part(s) of the skills test that the applicant passed. The applicant shall retain the form(s) until all tests are passed and present the form(s) to the department to obtain the license.

607.31(2) *Retesting.* An applicant shall be required to repeat only the knowledge test(s) or part(s) of the skills test that the applicant failed. An applicant who fails a test shall not be permitted to repeat that test the same day.

This rule is intended to implement Iowa Code section 321.186.

761—607.32 to 607.34 Reserved.

761—607.35(321) Issuance of commercial driver's license. A commercial driver's license issued by the department shall be identified by "commercial", "commercial driver's license" or "CDL" on the face of the license.

This rule is intended to implement Iowa Code section 321.189.

761—607.36(321) Conversion to commercial driver's license. Rescinded IAB 6/23/93, effective 7/28/93.

761—607.37(321) Commercial driver's license renewal. To renew a commercial driver's license, the licensee shall apply at a driver's license examination station, certify eligibility and, if required, pass the appropriate test(s).

This rule is intended to implement Iowa Code sections 321.186 and 321.196.

761—607.38(321) Transfers from another state. Upon initial application for an Iowa license, an Iowa resident who has a valid commercial driver's license from a former state of residence is not required to retest except as specified in Iowa Code subsection 321.188(5) but is required to pay the applicable endorsement and restriction removal fees.

This rule is intended to implement Iowa Code sections 321.188 and 321.191.

761—607.39(321) Disqualification.

607.39(1) *Date.* A disqualifying act, action or offense under Iowa Code section 321.208, that occurred before July 1, 1990, shall not be grounds for disqualification from operating a commercial motor vehicle.

607.39(2) *Notice.* A 30-day advance notice of disqualification shall be served by the department in accordance with rule 761—615.37(321). Pursuant to Iowa Code Supplement subsection 321.208(8), a peace officer on behalf of the department may serve the notice of disqualification immediately.

607.39(3) *Hearing and appeal process.* A person who has received a notice of disqualification may contest the disqualification in accordance with 761—615.38(17A,321).

607.39(4) *Reduction of lifetime disqualification.* Reserved.

This rule is intended to implement Iowa Code chapter 17A and section 321.208.

761—607.40(321) *Sanctions.* When a person's motor vehicle license is denied, canceled, suspended, revoked or barred, the person is also disqualified from operating a commercial motor vehicle.

This rule is intended to implement Iowa Code section 321.208.

761—607.41 to 607.44 Reserved.

761—607.45(321) *Reinstatement.* To reinstate a commercial driver's license after completion of a period of disqualification, a person shall appear at a driver's license examination station. The person must also meet the vision standards for licensing, pass the applicable knowledge test(s) and the skills test, and pay the required reinstatement fee and the fees for a new license.

This rule is intended to implement Iowa Code sections 321.191 and 321.208.

761—607.46 to 607.48 Reserved.

761—607.49(321) *Restricted commercial driver's license.*

607.49(1) *Scope.* This rule pertains to the issuance of restricted commercial drivers' licenses to suppliers or employees of suppliers of agricultural inputs. Issuance is permitted by the Federal Highway Administration pursuant to FHWA Docket No. MC-92-21. A restricted commercial driver's license shall meet all requirements of a regular commercial driver's license, as set out in Iowa Code chapter 321 and this chapter of rules, except as specified in this rule.

607.49(2) *Agricultural inputs.* The term "agricultural inputs" means suppliers or applicators of agricultural chemicals, fertilizer, seed or animal feeds.

607.49(3) *Validity.*

a. A restricted commercial driver's license allows the licensee to drive a commercial motor vehicle for agricultural input purposes. The license is valid to:

(1) Operate Group B and Group C commercial motor vehicles including tank vehicles and vehicles equipped with air brakes, except passenger vehicles.

(2) Transport the hazardous materials listed in paragraph 607.49(3) "b."

(3) Operate only during the current, validated seasonal period.

(4) Operate between the employer's place of business and the farm currently being served, not to exceed 150 miles.

b. A restricted commercial driver's license is not valid for transporting hazardous materials requiring placarding, except as follows:

(1) Liquid fertilizers such as anhydrous ammonia may be transported in vehicles or implements of husbandry with total capacities of 3,000 gallons or less.

(2) Solid fertilizers such as ammonium nitrate may be transported provided they are not mixed with any organic substance.

(3) A hazardous material endorsement is not needed to transport the products listed in the preceding subparagraphs.

c. When not driving for agricultural input purposes, the license is valid for operating a noncommercial motor vehicle that may be legally operated under the noncommercial license held by the licensee.

607.49(4) *Requirements.*

a. The applicant must have two years of previous driving experience. This means that the applicant must have held a license that permits unaccompanied driving for at least two years. This does not include a motorized bicycle license, a minor's school license or a minor's restricted license.

b. The applicant must have a good driving record for the most recent two-year period, as defined in subrule 607.49(5).

c. An applicant who currently holds a commercial driver's license or a commercial driver's instruction permit is not eligible for issuance of a restricted commercial driver's license.

607.49(5) Good driving record. A "good driving record" means a driving record showing:

a. No multiple licenses.

b. No driver's license suspensions, revocations, disqualifications, denials, bars, or cancellations of any kind.

c. No convictions in any type of motor vehicle for:

- (1) Driving under the influence of alcohol or drugs.
- (2) Leaving the scene of an accident.
- (3) Committing any felony involving a motor vehicle.
- (4) Speeding 15 miles per hour or more over the posted speed limit.
- (5) Reckless driving.
- (6) Improper or erratic lane changes.
- (7) Following too closely.
- (8) Accident-connected traffic law violations.

d. No record of at-fault accidents.

607.49(6) Issuance.

a. The knowledge and skills tests described in rules 761—607.27(321) and 761—607.28(321) are waived.

b. A restricted commercial driver's license shall be identified as such on the face of the license. In addition the license shall be issued with a restriction supplement stating the license's validity. The restriction supplement must be carried with the license, as provided in 761—subrule 605.5(5).

c. The expiration date for a restricted commercial driver's license that is converted to this license from another Iowa license shall carry the same expiration date as the previous license.

d. A restricted commercial driver's license may be renewed for either two years or four years. The licensee's good driving record shall be confirmed at the time of renewal.

e. The fee for a restricted commercial driver's license shall be as specified in Iowa Code section 321.191.

f. There are two periods of validity for commercial motor vehicle operation: March 15 through June 30, and October 4 through December 14. These are referred to as "seasonal periods." Validity shall not exceed 180 days in any 12-month period. Any period of validity authorized previously by another state's license shall be considered a part of the 180-day maximum period of validity.

g. A restricted commercial driver's license must be validated for commercial motor vehicle operation for each seasonal period. This means that the applicant/licensee must appear at a driver's license examination station during the current seasonal period or not more than 30 days before the beginning of the period to have the person's good driving record confirmed. Upon confirmation, the department shall issue a replacement license with a restriction supplement validating the license for that seasonal period, provided the person is otherwise eligible for the license. The fee for a replacement license shall be as specified in Iowa Code section 321.195.

h. The same process must be repeated for each seasonal period.

This rule is intended to implement Iowa Code section 321.176B.

761—607.50 Reserved.

761—607.51(321) Determination of gross vehicle weight rating.

607.51(1) *Vehicle other than towed vehicle.* For a vehicle other than a towed vehicle that has no legible manufacturer's certification label, the applicant may provide documentation of the gross vehicle weight rating, such as a manufacturer's certificate of origin, a title, a vehicle registration document, or the vehicle identification number information for the vehicle. In the absence of the above documentation, the registered weight of the vehicle shall be presumed to be the gross vehicle weight rating.

607.51(2) *Towed vehicle.* For a towed vehicle without a gross vehicle weight rating specified by the manufacturer, the gross vehicle weight rating shall be its gross weight.

This rule is intended to implement Iowa Code section 321.1.

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CHAPTERS 608 and 609

Reserved